

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

THOMAS O. BASTIAN,

Plaintiff,

v.

No. 22-cv-0605 MIS-KBM

KRYSTAL RIVERA, *et al*,

Defendants.

ORDER REGARDING FILING FEE

This matter is before the Court following Plaintiff's attempt to pay the filing fee in this case. Plaintiff is *pro se* and incarcerated. By an Order entered October 17, 2022, the Court granted leave to proceed *in forma pauperis* - which reduces the \$402 civil filing fee to \$350 - and assessed an initial partial payment of \$209.68. *See* Doc. 5 (citing 28 U.S.C. § 1915(b)). Plaintiff attempted to comply and mailed a check for \$402. Because the filing fee has now been reduced to \$350 and because the Clerk's Office cannot issue partial refunds, the uncashed check was returned to Plaintiff. The Court will fix a new deadline of December 8, 2022 for Plaintiff to address the filing fee. Plaintiff must pay at least \$209.68, which is the minimum initial payment, but he may pay \$350, which is the full amount of the filing fee at this stage.

IT IS ORDERED that the deadline to pay at least \$209.68, but not more than \$350, is extended through **December 8, 2022**.


UNITED STATES MAGISTRATE JUDGE